



General Assembly

January Session, 2013

Raised Bill No. 900

LCO No. 3275



Referred to Committee on GOVERNMENT ADMINISTRATION
AND ELECTIONS

Introduced by:
(GAE)

***AN ACT CONCERNING REVISIONS TO THE STATE CODES OF
ETHICS.***

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. Section 1-79 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2013*):

3 The following terms, when used in this part, [shall] have the
4 following meanings unless the context otherwise requires:

5 [(a)] (1) "Blind trust" means a trust established by a public official or
6 state employee or member of his or her immediate family for the
7 purpose of divestiture of all control and knowledge of assets.

8 [(b)] (2) "Business with which he is associated" means any sole
9 proprietorship, partnership, firm, corporation, trust or other entity
10 through which business for profit or not for profit is conducted in
11 which the public official or state employee or member of his or her
12 immediate family is a director, officer, owner, limited or general
13 partner, beneficiary of a trust or holder of stock constituting five per

14 cent or more of the total outstanding stock of any class, provided, a
15 public official or state employee, or member of his or her immediate
16 family, shall not be deemed to be associated with a not for profit entity
17 solely by virtue of the fact that the public official or state employee or
18 member of his or her immediate family is an unpaid director or officer
19 of the not for profit entity. "Officer" refers only to the president,
20 executive or senior vice president or treasurer of such business.

21 [(c)] (3) "Candidate for public office" means any individual who has
22 filed a declaration of candidacy or a petition to appear on the ballot for
23 election as a public official, or who has raised or expended money in
24 furtherance of such candidacy, or who has been nominated for
25 appointment to serve as a public official, but [shall] does not include a
26 candidate for the office of senator or representative in Congress.

27 [(d)] (4) "Board" means the Citizen's Ethics Advisory Board
28 established in section 1-80, as amended by this act.

29 [(e)] (5) "Gift" means anything of value, which is directly and
30 personally received, unless consideration of equal or greater value is
31 given in return. "Gift" [shall] does not include:

32 [(1)] (A) A political contribution otherwise reported as required by
33 law or a donation or payment as described in subdivision (9) or (10) of
34 subsection (b) of section 9-601a;

35 [(2)] (B) Services provided by persons volunteering their time, if
36 provided to aid or promote the success or defeat of any political party,
37 any candidate or candidates for public office or the position of
38 convention delegate or town committee member or any referendum
39 question;

40 [(3)] (C) A commercially reasonable loan made on terms not more
41 favorable than loans made in the ordinary course of business;

42 [(4)] (D) A gift received from [(A)] (i) an individual's spouse, fiance

43 or fiancée, [(B)] (ii) the parent, brother or sister of such spouse or such
44 individual, or [(C)] (iii) the child of such individual or the spouse of
45 such child;

46 [(5)] (E) Goods or services [(A) which] (i) that are provided to a state
47 agency or quasi-public agency [(i)] (I) for use on state or quasi-public
48 agency property, or [(ii)] (II) that support an event or the participation
49 by a public official or state employee at an event, and [(B) which] (ii)
50 that facilitate state or quasi-public agency action or functions. As used
51 in this [subdivision] subparagraph, "state property" means [(i)]
52 property owned by the state or a quasi-public agency, or [(ii)] property
53 leased to a state agency or quasi-public agency;

54 [(6)] (F) A certificate, plaque or other ceremonial award costing less
55 than one hundred dollars;

56 [(7)] (G) A rebate, discount or promotional item available to the
57 general public;

58 [(8)] (H) Printed or recorded informational material germane to
59 state action or functions;

60 [(9)] (I) Food or beverage or both, costing less than fifty dollars in
61 the aggregate per recipient in a calendar year, and consumed on an
62 occasion or occasions at which the person paying, directly or
63 indirectly, for the food or beverage, or his representative, is in
64 attendance;

65 [(10)] (J) Food or beverage or both, costing less than fifty dollars per
66 person and consumed at a publicly noticed legislative reception to
67 which all members of the General Assembly are invited and which is
68 hosted not more than once in any calendar year by a lobbyist or
69 business organization. For the purposes of such limit, [(A)] (i) a
70 reception hosted by a lobbyist who is an individual shall be deemed to
71 have also been hosted by the business organization which [he] such
72 lobbyist owns or is employed by, and [(B)] (ii) a reception hosted by a

73 business organization shall be deemed to have also been hosted by all
74 owners and employees of the business organization who are lobbyists.
75 In making the calculation for the purposes of such fifty-dollar limit, the
76 donor shall divide the amount spent on food and beverage by the
77 number of persons whom the donor reasonably expects to attend the
78 reception;

79 [(11)] (K) Food or beverage or both, costing less than fifty dollars per
80 person and consumed at a publicly noticed reception to which all
81 members of the General Assembly from a region of the state are
82 invited and which is hosted not more than once in any calendar year
83 by a lobbyist or business organization. For the purposes of such limit,
84 [(A)] (i) a reception hosted by a lobbyist who is an individual shall be
85 deemed to have also been hosted by the business organization which
86 [he] such lobbyist owns or is employed by, and [(B)] (ii) a reception
87 hosted by a business organization shall be deemed to have also been
88 hosted by all owners and employees of the business organization who
89 are lobbyists. In making the calculation for the purposes of such fifty-
90 dollar limit, the donor shall divide the amount spent on food and
91 beverage by the number of persons whom the donor reasonably
92 expects to attend the reception. As used in this [subdivision]
93 subparagraph, "region of the state" means the established geographic
94 service area of the organization hosting the reception;

95 [(12)] (L) A gift, including, but not limited to, food or beverage or
96 both, provided by an individual for the celebration of a major life
97 event, provided any such gift provided by an individual who is not a
98 member of the family of the recipient shall not exceed one thousand
99 dollars in value;

100 [(13)] (M) Gifts costing less than one hundred dollars in the
101 aggregate or food or beverage provided at a hospitality suite at a
102 meeting or conference of an interstate legislative association, by a
103 person who is not a registrant or is not doing business with the state of
104 Connecticut;

105 [(14)] (N) Admission to a charitable or civic event, including food
106 and beverage provided at such event, but excluding lodging or travel
107 expenses, at which a public official or state employee participates in
108 his or her official capacity, provided such admission is provided by the
109 primary sponsoring entity;

110 [(15)] (O) Anything of value provided by an employer of [(A)] (i) a
111 public official, [(B)] (ii) a state employee, or [(C)] (iii) a spouse of a
112 public official or state employee, to such official, employee or spouse,
113 provided such benefits are customarily and ordinarily provided to
114 others in similar circumstances;

115 [(16)] (P) Anything having a value of not more than ten dollars,
116 provided the aggregate value of all things provided by a donor to a
117 recipient under this subdivision in any calendar year shall not exceed
118 fifty dollars;

119 [(17)] (Q) Training that is provided by a vendor for a product
120 purchased by a state or quasi-public agency which is offered to all
121 customers of such vendor; or

122 [(18)] (R) Travel expenses, lodging, food, beverage and other
123 benefits customarily provided by a prospective employer, when
124 provided to a student at a public institution of higher education whose
125 employment is derived from such student's status as a student at such
126 institution, in connection with bona fide employment discussions.

127 [(f)] (6) "Immediate family" means any spouse, children or
128 dependent relatives who reside in the individual's household.

129 [(g)] (7) "Individual" means a natural person.

130 [(h)] (8) "Member of an advisory board" means any individual [(1)]
131 (A) appointed by a public official as an advisor or consultant or
132 member of a committee, commission or council established to advise,
133 recommend or consult with a public official or branch of government

134 or committee thereof, [(2)] (B) who receives no public funds other than
135 per diem payments or reimbursement for his or her actual and
136 necessary expenses incurred in the performance of his or her official
137 duties, and [(3)] (C) who has no authority to expend any public funds
138 or to exercise the power of the state.

139 [(i)] (9) "Person" means an individual, sole proprietorship, trust,
140 corporation, limited liability company, union, association, firm,
141 partnership, committee, club or other organization or group of
142 persons.

143 [(j)] (10) "Political contribution" has the same meaning as in section
144 9-601a except that for purposes of this part, the provisions of
145 subsection (b) of [that] said section shall not apply.

146 [(k)] (11) "Public official" means any state-wide elected officer, any
147 member or member-elect of the General Assembly, any person
148 appointed to any office of the legislative, judicial or executive branch
149 of state government by the Governor or an appointee of the Governor,
150 with or without the advice and consent of the General Assembly, any
151 public member or representative of the teachers' unions or state
152 employees' unions appointed to the Investment Advisory Council
153 pursuant to subsection (a) of section 3-13b, any person appointed or
154 elected by the General Assembly or by any member of either house
155 thereof, any member or director of a quasi-public agency and the
156 spouse of the Governor, but [shall] does not include a member of an
157 advisory board, a judge of any court either elected or appointed or a
158 senator or representative in Congress.

159 [(l)] (12) "Quasi-public agency" means Connecticut Innovations,
160 Incorporated, and the Connecticut Health and Education Facilities
161 Authority, Connecticut Higher Education Supplemental Loan
162 Authority, Connecticut Housing Finance Authority, [Connecticut]
163 State Housing Authority, Connecticut Resources Recovery Authority,
164 Lower Fairfield County Convention Center Authority, Capital Region

165 Development Authority, Connecticut Lottery Corporation, Connecticut
166 Airport Authority, Health Information Technology Exchange of
167 Connecticut, Connecticut Health Insurance Exchange and Clean
168 Energy Finance and Investment Authority.

169 [(m)] (13) "State employee" means any employee in the executive,
170 legislative or judicial branch of state government, whether in the
171 classified or unclassified service and whether full or part-time, and any
172 employee of a quasi-public agency, but [shall] does not include a judge
173 of any court, either elected or appointed.

174 [(n)] (14) "Trust" means a trust in which any public official or state
175 employee or member of his immediate family has a present or future
176 interest which exceeds ten per cent of the value of the trust or exceeds
177 fifty thousand dollars, whichever is less, but [shall] does not include
178 blind trusts.

179 [(o)] (15) "Business organization" means a sole proprietorship,
180 corporation, limited liability company, association, firm or partnership,
181 other than a client lobbyist, which is owned by, or employs, one or
182 more individual lobbyists.

183 [(p)] (16) "Client lobbyist" means a [person] lobbyist on behalf of
184 whom lobbying takes place and who makes expenditures for lobbying
185 and in furtherance of lobbying.

186 [(q)] (17) "Necessary expenses" means a public official's or state
187 employee's expenses for an article, appearance or speech or for
188 participation at an event, in his official capacity, which shall be limited
189 to necessary travel expenses, lodging for the nights before, of and after
190 the appearance, speech or event, meals and any related conference or
191 seminar registration fees.

192 [(r)] (18) "Lobbyist" and "registrant" shall be construed as defined in
193 section 1-91, as amended by this act.

194 [(s)] (19) "Legal defense fund" means a fund established for the
195 payment of legal expenses of a public official or state employee
196 incurred as a result of defending himself or herself in an
197 administrative, civil, criminal or constitutional proceeding concerning
198 matters related to the official's or employee's service or employment
199 with the state or a quasi-public agency.

200 [(t)] (20) "State agency" means any office, department, board,
201 council, commission, institution, constituent unit of the state system of
202 higher education, technical high school or other agency in the
203 executive, legislative or judicial branch of state government.

204 Sec. 2. Subsection (a) of section 1-80 of the general statutes is
205 repealed and the following is substituted in lieu thereof (*Effective from*
206 *passage*):

207 (a) There shall be established, within the Office of Governmental
208 Accountability established under section 1-300, an Office of State
209 Ethics. Said office shall consist of an executive director, general
210 counsel, ethics enforcement officer and such other staff as hired by the
211 executive director. Within the Office of State Ethics, there shall be the
212 Citizen's Ethics Advisory Board that shall consist of nine members,
213 appointed as follows: One member shall be appointed by the speaker
214 of the House of Representatives, one member by the president pro
215 tempore of the Senate, one member by the majority leader of the
216 Senate, one member by the minority leader of the Senate, one member
217 by the majority leader of the House of Representatives, one member by
218 the minority leader of the House of Representatives, and three
219 members by the Governor. Members of the board [shall serve for four-
220 year terms which shall commence on October 1, 2005, except that
221 members] first appointed for a term commencing October 1, 2005, shall
222 have the following terms: The Governor shall appoint two members
223 for a term of three years and one member for a term of four years; the
224 majority leader of the House of Representatives, minority leader of the
225 House of Representatives and the speaker of the House of

226 Representatives shall each appoint one member for a term of two
227 years; and the president pro tempore of the Senate, the majority leader
228 of the Senate and the minority leader of the Senate shall each appoint
229 one member for a term of four years. The term commencing October 1,
230 2009, for the member appointed by the Governor and the member
231 appointed by the president pro tempore of the Senate shall be five
232 years. Upon the expiration of such members' five-year terms, such
233 members may not be reappointed. Any member appointed on or after
234 October 1, 2014, shall serve for a term of four years. No individual
235 shall be appointed to more than one four-year or five-year term as a
236 member of the board, provided, members may not continue in office
237 [once] after their term has expired and members first appointed may
238 not be reappointed. No more than five members shall be members of
239 the same political party. The members appointed by the majority
240 leader of the Senate and the majority leader of the House of
241 Representatives shall be selected from a list of nominees proposed by a
242 citizen group having an interest in ethical government. The majority
243 leader of the Senate and the majority leader of the House of
244 Representatives shall each determine the citizen group from which
245 each will accept such nominations. One member appointed by the
246 Governor shall be selected from a list of nominees proposed by a
247 citizen group having an interest in ethical government. The Governor
248 shall determine the citizen group from which the Governor will accept
249 such nominations.

250 Sec. 3. Subsection (b) of section 1-80 of the general statutes is
251 repealed and the following is substituted in lieu thereof (*Effective*
252 *October 1, 2013*):

253 (b) All members shall be electors of the state. No member shall be a
254 state employee. No member or employee of [such] said board shall (1)
255 hold or campaign for any public office; (2) have held public office or
256 have been a candidate for public office for a three-year period prior to
257 appointment; (3) hold office in any political party or political
258 committee or be a member of any organization or association

259 organized primarily for the purpose of influencing legislation or
260 decisions of public agencies; or (4) be an individual who is a registrant
261 as defined in [subsection (q)] subdivision (17) of section 1-91, as
262 amended by this act. For purposes of this subsection, "public office"
263 does not include the offices of justice of the peace or notary public.

264 Sec. 4. Subsection (d) of section 1-80 of the general statutes is
265 repealed and the following is substituted in lieu thereof (*Effective*
266 *October 1, 2013*):

267 (d) The board shall elect a chairperson who shall, except as
268 provided in subsection (b) of section 1-82 and subsection (b) of section
269 1-93, preside at meetings of the board and a vice-chairperson to
270 preside in the absence of the chairperson. Six members of the board
271 shall constitute a quorum. Except as provided in subdivision (3) of
272 subsection (a) of section 1-81, as amended by this act, subsections (a)
273 and (b) of section 1-82, subsection (b) of section 1-88, [subdivision (5)]
274 subsection (e) of section 1-92, as amended by this act, subsections (a)
275 and (b) of section 1-93 and subsection (b) of section 1-99, a majority
276 vote of the members shall be required for action of the board. The
277 chairperson or any three members may call a meeting.

278 Sec. 5. Subsection (k) of section 1-80 of the general statutes is
279 repealed and the following is substituted in lieu thereof (*Effective*
280 *October 1, 2013*):

281 (k) No former member of the board may represent any business or
282 person, other than himself or herself, before the board for a period of
283 one year following the end of such former member's service on the
284 board. No business or person that appears before the board shall
285 employ or otherwise engage the services of a former member of the
286 board for a period of one year following the end of such former
287 member's service on the board.

288 Sec. 6. Section 1-81 of the general statutes is repealed and the
289 following is substituted in lieu thereof (*Effective October 1, 2013*):

290 (a) The board and general counsel and staff of the Office of State
291 Ethics shall:

292 (1) Compile and maintain an index of all reports, advisory opinions,
293 informal staff letters, memoranda issued in accordance with subsection
294 (b) of section 1-82 and statements filed by and with the Office of State
295 Ethics to facilitate public access to such reports and advisory opinions,
296 informal staff letters, memoranda statements as provided by this part;

297 (2) Preserve advisory opinions and informal staff letters,
298 permanently; preserve memoranda issued in accordance with
299 subsection (b) of section 1-82 and statements and reports filed by and
300 with the board for a period of five years from the date of receipt;

301 (3) Upon the concurring vote of a majority of the board present and
302 voting, issue advisory opinions with regard to the requirements of this
303 part or part IV of this chapter, upon the request of any person subject
304 to the provisions of this part or part IV of this chapter, and publish
305 such advisory opinions in the Connecticut Law Journal. Advisory
306 opinions rendered by the board, until amended or revoked, shall be
307 binding on the board and shall be deemed to be final decisions of the
308 board for purposes of appeal to the superior court, in accordance with
309 the provisions of section 4-175 or 4-183. Any advisory opinion
310 concerning the person who requested the opinion and who acted in
311 reliance thereon, in good faith, shall be binding upon the board, and it
312 shall be an absolute defense in any criminal action brought under the
313 provisions of this part or part IV of this chapter, that the accused acted
314 in reliance upon such advisory opinion;

315 (4) Respond to inquiries and provide advice regarding the code of
316 ethics either verbally or through informal letters;

317 (5) Provide yearly training to all state employees regarding the code
318 of ethics;

319 (6) Make legislative recommendations to the General Assembly and

320 report annually, [prior to April] not later than February fifteenth, to the
321 Governor summarizing the activities of the [commission;] Office of
322 State Ethics; and

323 (7) Meet not less than once per month with the office's executive
324 director and ethics enforcement officer. [; and]

325 [(8)] (b) The [commission] Office of State Ethics may enter into such
326 contractual agreements as may be necessary for the discharge of its
327 duties, within the limits of its appropriated funds and in accordance
328 with established procedures.

329 [(b)] (c) The Office of State Ethics shall employ an executive director,
330 general counsel and ethics enforcement officer, each of whom shall be
331 exempt from classified state service. The salary for the executive
332 director, general counsel and the ethics enforcement officer shall be
333 determined by the Commissioner of Administrative Services in
334 accordance with accepted personnel practices. No one person may
335 serve in more than one of the positions described in this subsection.
336 The Office of State Ethics may employ necessary staff within available
337 appropriations. Such necessary staff of the Office of State Ethics shall
338 be in classified state service.

339 [(c)] (d) The executive director, described in subsection [(b)] (c) of
340 this section, shall be appointed by the Citizen's Ethics Advisory Board
341 for an open-ended term. Such appointment shall not be made until all
342 the initial board members appointed to terms commencing on October
343 1, 2005, are appointed by their respective appointing authorities,
344 pursuant to subsection (a) of section 1-80, as amended by this act. The
345 board shall annually evaluate the performance of the executive
346 director, in writing, and may remove the executive director, in
347 accordance with the provisions of chapter 67.

348 [(d)] (e) The general counsel and ethics enforcement officer
349 described in subsection [(b)] (c) of this section, and other staff of the
350 Office of State Ethics shall be appointed by the executive director of the

351 Office of State Ethics. The executive director shall annually evaluate
352 the performance of the general counsel, ethics enforcement officer and
353 such other staff, in writing, and may remove the general counsel or
354 ethics enforcement officer, in accordance with the provisions of
355 chapter 67, or such other staff, in accordance with any applicable
356 collective bargaining agreement.

357 ~~[(e)]~~ (f) There shall be a legal division within the Office of State
358 Ethics. The legal division shall provide the board with legal advice on
359 matters before said board and shall represent the board in all matters
360 in which the board is a party, without the assistance of the Attorney
361 General unless the board requests such assistance. The legal division
362 shall, under the direction of the general counsel, provide information
363 and written and verbal opinions to persons subject to the code and to
364 the general public. The general counsel, described in subsection ~~[(b)]~~
365 (c) of this section, shall supervise such division. The investigation or
366 instigation of a complaint may not occur solely because of information
367 received by the legal division.

368 ~~[(f)]~~ (g) There shall be an enforcement division within the Office of
369 State Ethics. The enforcement division shall be responsible for
370 investigating complaints brought to or by the board. The ethics
371 enforcement officer, described in subsection ~~[(b)]~~ (c) of this section,
372 shall supervise the enforcement division. The enforcement division
373 shall employ such attorneys and investigators, as necessary, within
374 available appropriations, and may refer matters to the office of the
375 Chief State's Attorney, as appropriate.

376 ~~[(g)]~~ (h) The Citizen's Ethics Advisory Board shall adopt regulations
377 in accordance with chapter 54 to carry out the purposes of this part.
378 Such regulations shall not be deemed to govern the conduct of any
379 judge trial referee in the performance of such judge trial referee's
380 duties pursuant to this chapter.

381 ~~[(h) In]~~ (i) The general counsel shall, in consultation with the

382 executive director of the Office of State Ethics, [the general counsel
383 shall] oversee yearly training of all state personnel in the code of ethics,
384 provide training on the code of ethics to other individuals or entities
385 subject to the code and shall make recommendations as to public
386 education regarding ethics.

387 Sec. 7. Subsection (e) of section 1-82 of the general statutes is
388 repealed and the following is substituted in lieu thereof (*Effective from*
389 *passage*):

390 (e) No person shall take or threaten to take official action against an
391 individual for such individual's disclosure of information to the board
392 or the general counsel, ethics enforcement officer or staff of the Office
393 of State Ethics under the provisions of this part or section 1-101nn.
394 After receipt of information from an individual under the provisions of
395 this part or section 1-101nn, the Office of State Ethics shall not disclose
396 the identity of such individual without such individual's consent
397 unless the Office of State Ethics determines that such disclosure is
398 unavoidable during the course of an investigation. No person shall be
399 subject to civil liability for any good faith disclosure that such person
400 makes to the [commission] Office of State Ethics.

401 Sec. 8. Subsection (a) of section 1-83 of the general statutes is
402 repealed and the following is substituted in lieu thereof (*Effective*
403 *October 1, 2013*):

404 (a) (1) All state-wide elected officers, members of the General
405 Assembly, department heads and their deputies, members of the
406 Gaming Policy Board, members or directors of each quasi-public
407 agency, members of the Investment Advisory Council, state marshals
408 and such members of the Executive Department and such employees
409 of quasi-public agencies as the Governor shall require, shall file, under
410 penalty of false statement, a statement of financial interests for the
411 preceding calendar year with the Office of State Ethics on or before the
412 May first next in any year in which they hold such [a] an office or

413 position. If, in any year, May first falls on a weekend or legal holiday,
414 such statement shall be filed not later than the next business day. Any
415 such individual who leaves his or her office or position shall file a
416 statement of financial interests covering that portion of the year during
417 which such individual held his or her office or position. The Office of
418 State Ethics shall notify such individuals of the requirements of this
419 subsection not later than thirty days after their departure from such
420 office or position. Such individuals shall file such statement [within]
421 not later than sixty days after receipt of the notification.

422 (2) Each state agency, department, board and commission shall
423 develop and implement, in cooperation with the Office of State Ethics,
424 an ethics statement as it relates to the mission of the agency,
425 department, board or commission. The executive head of each such
426 agency, department, board or commission shall be directly responsible
427 for the development and enforcement of such ethics statement and
428 shall file a copy of such ethics statement with the Department of
429 Administrative Services and the Office of State Ethics.

430 Sec. 9. Subsection (j) of section 1-84 of the general statutes is
431 repealed and the following is substituted in lieu thereof (*Effective*
432 *October 1, 2013*):

433 (j) No public official, state employee or candidate for public office,
434 or a member of any such person's staff or immediate family shall
435 knowingly accept any gift, as defined in [subsection (e)] subdivision (5)
436 of section 1-79, as amended by this act, from a person known to be a
437 registrant or anyone known to be acting on behalf of a registrant.

438 Sec. 10. Subsection (m) of section 1-84 of the general statutes is
439 repealed and the following is substituted in lieu thereof (*Effective*
440 *October 1, 2013*):

441 (m) No public official or state employee shall knowingly accept,
442 directly or indirectly, any gift, as defined in [subsection (e)]
443 subdivision (5) of section 1-79, as amended by this act, from any

444 person the public official or state employee knows or has reason to
445 know: (1) Is doing business with or seeking to do business with the
446 department or agency in which the public official or state employee is
447 employed; (2) is engaged in activities which are directly regulated by
448 such department or agency; or (3) is prequalified under section 4a-100.
449 No person shall knowingly give, directly or indirectly, any gift or gifts
450 in violation of this provision. For the purposes of this subsection, the
451 exclusion to the term "gift" in [subdivision (12) of subsection (e)]
452 subparagraph (L) of subdivision (5) of section 1-79, as amended by this
453 act, for a gift for the celebration of a major life event shall not apply.
454 Any person prohibited from making a gift under this subsection shall
455 report to the Office of State Ethics any solicitation of a gift from such
456 person by a state employee or public official.

457 Sec. 11. Subsection (q) of section 1-84 of the general statutes is
458 repealed and the following is substituted in lieu thereof (*Effective from*
459 *passage*):

460 (q) No public official or state employee shall intentionally counsel,
461 authorize or otherwise sanction action that violates any provision of
462 this part.

463 Sec. 12. Section 1-84c of the general statutes is repealed and the
464 following is substituted in lieu thereof (*Effective October 1, 2013*):

465 Nothing in this chapter shall prohibit the donation of goods or
466 services, as described in [subdivision (5) of subsection (e)]
467 subparagraph (E) of subdivision (5) of section 1-79, as amended by this
468 act, to a state agency or quasi-public agency, the donation of the use of
469 facilities to facilitate state agency or quasi-public agency action or
470 functions or the donation of real property to a state agency or quasi-
471 public agency. As used in this section, "state agency" and "quasi-public
472 agency" have the same meanings as provided in section 1-79, as
473 amended by this act.

474 Sec. 13. Subsection (d) of section 1-88 of the general statutes is

475 repealed and the following is substituted in lieu thereof (*Effective*
476 *October 1, 2013*):

477 (d) Any person who knowingly acts in such person's financial
478 interest in violation of section 1-84, as amended by this act, 1-85, 1-86,
479 [or] 1-86d, 1-86e or 1-101nn or any person who knowingly receives a
480 financial advantage resulting from a violation of any of said sections
481 shall be liable for damages in the amount of such advantage. If the
482 board determines that any person may be so liable, it shall
483 immediately inform the Attorney General of that possibility.

484 Sec. 14. Section 1-91 of the general statutes is repealed and the
485 following is substituted in lieu thereof (*Effective October 1, 2013*):

486 When used in this part, unless the context otherwise requires:

487 [(a)] (1) "Administrative action" means any action or nonaction of
488 any executive agency of the state with respect to the proposal, drafting,
489 development, consideration, amendment, adoption or repeal of any
490 rule, regulation or utility rate, and any action or nonaction of any
491 executive agency or quasi-public agency, as defined in section 1-79, as
492 amended by this act, regarding a contract, grant, award, purchasing
493 agreement, loan, bond, certificate, license, permit or any other matter
494 which is within the official jurisdiction or cognizance of such an
495 agency.

496 [(b)] (2) "Candidate for public office" means any person who has
497 filed a declaration of candidacy or a petition to appear on the ballot for
498 election as a public official, or who has raised or expended money in
499 furtherance of such candidacy, or who has been nominated for
500 appointment to serve as a public official; but [shall] does not include a
501 candidate for the office of senator or representative in Congress.

502 [(c)] (3) "Board" means the Citizen's Ethics Advisory Board
503 established under section 1-80, as amended by this act.

504 [(d)] (4) "Compensation" means any value received or to be received
505 by a person acting as a lobbyist, whether in the form of a fee, salary or
506 forbearance.

507 [(e)] (5) "Executive agency" means a commission, board, agency, or
508 other body or official in the executive branch of the state government
509 and any independent body of the state government that is not a part of
510 the legislative or judicial branch.

511 [(f)] (6) "Expenditure" means any advance, conveyance, deposit,
512 distribution, transfer of funds, loan, payment, unless expressly
513 excluded; any payments for telephone, mailing, postage, printing and
514 other clerical or office services and materials; any paid
515 communications, costing fifty dollars or more in any calendar year,
516 disseminated by means of any printing, broadcasting or other
517 medium, provided such communications refer to pending
518 administrative or legislative action; any contract, agreement, promise
519 or other obligation; any solicitation or solicitations, costing fifty dollars
520 or more in the aggregate for any calendar year, of other persons to
521 communicate with a public official or state employee for the purpose
522 of influencing any legislative or administrative act and any pledge,
523 subscription of money or anything of value. "Expenditure" [shall] does
524 not include the payment of a registrant's fee pursuant to section 1-95,
525 as amended by this act, any expenditure made by any club, committee,
526 partnership, organization, business, union, association or corporation
527 for the purpose of publishing a newsletter or other release to its
528 members, shareholders or employees, or contributions, membership
529 dues or other fees paid to associations, nonstock corporations or tax-
530 exempt organizations under Section 501(c) of the Internal Revenue
531 Code of 1986, or any subsequent corresponding internal revenue code
532 of the United States, as from time to time amended.

533 [(g)] (7) "Gift" means anything of value, which is directly and
534 personally received, unless consideration of equal or greater value is
535 given in return. "Gift" [shall] does not include:

536 [(1)] (A) A political contribution otherwise reported as required by
537 law or a donation or payment described in subdivision (9) or (10) of
538 subsection (b) of section 9-601a;

539 [(2)] (B) Services provided by persons volunteering their time, if
540 provided to aid or promote the success or defeat of any political party,
541 any candidate or candidates for public office or the position of
542 convention delegate or town committee member or any referendum
543 question;

544 [(3)] (C) A commercially reasonable loan made on terms not more
545 favorable than loans made in the ordinary course of business;

546 [(4)] (D) A gift received from [(A)] (i) the individual's spouse, fiancé
547 or fiancée, [(B)] (ii) the parent, brother or sister of such spouse or such
548 individual, or [(C)] (iii) the child of such individual or the spouse of
549 such child;

550 [(5)] (E) Goods or services [(A) which] (i) that are provided to a state
551 agency or quasi-public agency [(i)] (I) for use on state or quasi-public
552 agency property, or [(ii)] (II) that support an event or the participation
553 by a public official or state employee at an event, and [(B) which] (ii)
554 that facilitate state or quasi-public agency action or functions. As used
555 in this [subdivision] subparagraph, "state property" means [(i)]
556 property owned by the state or a quasi-public agency, or [(ii)] property
557 leased to a state or quasi-public agency;

558 [(6)] (F) A certificate, plaque or other ceremonial award costing less
559 than one hundred dollars;

560 [(7)] (G) A rebate, discount or promotional item available to the
561 general public;

562 [(8)] (H) Printed or recorded informational material germane to
563 state action or functions;

564 [(9)] (I) Food or beverage or both, costing less than fifty dollars in

565 the aggregate per recipient in a calendar year, and consumed on an
566 occasion or occasions at which the person paying, directly or
567 indirectly, for the food or beverage, or his representative, is in
568 attendance;

569 [(10)] (J) Food or beverage or both, costing less than fifty dollars per
570 person and consumed at a publicly noticed legislative reception to
571 which all members of the General Assembly are invited and which is
572 hosted not more than once in any calendar year by a lobbyist or
573 business organization. For the purposes of such limit, [(A)] (i) a
574 reception hosted by a lobbyist who is an individual shall be deemed to
575 have also been hosted by the business organization which he owns or
576 is employed by, and [(B)] (ii) a reception hosted by a business
577 organization shall be deemed to have also been hosted by all owners
578 and employees of the business organization who are lobbyists. In
579 making the calculation for the purposes of such fifty-dollar limit, the
580 donor shall divide the amount spent on food and beverage by the
581 number of persons whom the donor reasonably expects to attend the
582 reception;

583 [(11)] (K) Food or beverage or both, costing less than fifty dollars per
584 person and consumed at a publicly noticed reception to which all
585 members of the General Assembly from a region of the state are
586 invited and which is hosted not more than once in any calendar year
587 by a lobbyist or business organization. For the purposes of such limit,
588 [(A)] (i) a reception hosted by a lobbyist who is an individual shall be
589 deemed to have also been hosted by the business organization which
590 he owns or is employed by, and [(B)] (ii) a reception hosted by a
591 business organization shall be deemed to have also been hosted by all
592 owners and employees of the business organization who are lobbyists.
593 In making the calculation for the purposes of such fifty-dollar limit, the
594 donor shall divide the amount spent on food and beverage by the
595 number of persons whom the donor reasonably expects to attend the
596 reception. As used in this [subdivision] subparagraph, "region of the
597 state" means the established geographic service area of the

598 organization hosting the reception;

599 [(12)] (L) A gift, including, but not limited to, food or beverage or
600 both, provided by an individual for the celebration of a major life
601 event, provided any such gift provided by an individual who is not a
602 member of the family of the recipient [shall] does not exceed one
603 thousand dollars in value;

604 [(13)] (M) Gifts costing less than one hundred dollars in the
605 aggregate or food or beverage provided at a hospitality suite at a
606 meeting or conference of an interstate legislative association, by a
607 person who is not a registrant or is not doing business with the state of
608 Connecticut;

609 [(14)] (N) Admission to a charitable or civic event, including food
610 and beverage provided at such event, but excluding lodging or travel
611 expenses, at which a public official or state employee participates in
612 his or her official capacity, provided such admission is provided by the
613 primary sponsoring entity;

614 [(15)] (O) Anything of value provided by an employer of [(A)] (i) a
615 public official, [(B)] (ii) a state employee, or [(C)] (iii) a spouse of a
616 public official or state employee, to such official, employee or spouse,
617 provided such benefits are customarily and ordinarily provided to
618 others in similar circumstances;

619 [(16)] (P) Anything having a value of not more than ten dollars,
620 provided the aggregate value of all things provided by a donor to a
621 recipient under this subdivision in any calendar year [shall] does not
622 exceed fifty dollars; or

623 [(17)] (Q) Training that is provided by a vendor for a product
624 purchased by a state or quasi-public agency [which] that is offered to
625 all customers of such vendor.

626 [(h)] (8) "Immediate family" means any spouse, dependent children

627 or dependent relatives who reside in the individual's household.

628 [(i)] (9) "Individual" means a natural person.

629 [(j)] (10) "Legislative action" means introduction, sponsorship,
630 consideration, debate, amendment, passage, defeat, approval, veto,
631 overriding of a veto or any other official action or nonaction with
632 regard to any bill, resolution, amendment, nomination, appointment,
633 report, or any other matter pending or proposed in a committee or in
634 either house of the legislature, or any matter [which] that is within the
635 official jurisdiction or cognizance of the legislature.

636 [(k)] (11) "Lobbying" means communicating directly or soliciting
637 others to communicate with any official or his staff in the legislative or
638 executive branch of government or in a quasi-public agency, for the
639 purpose of influencing any legislative or administrative action except
640 that the term "lobbying" does not include [(1)] (A) communications by
641 or on behalf of a party to, or an intervenor in, a contested case, as
642 described in regulations adopted by the [commission] Office of State
643 Ethics in accordance with the provisions of chapter 54, before an
644 executive agency or a quasi-public agency, as defined in section 1-79,
645 as amended by this act, [(2)] (B) communications by a representative of
646 a vendor or by an employee of the registered client lobbyist which
647 representative or employee acts as a salesperson and does not
648 otherwise engage in lobbying regarding any administrative action,
649 [(3)] (C) communications by an attorney made while engaging in the
650 practice of law and regarding any matter other than legislative action
651 as defined in [subsection (j)] subdivision (10) of this section or the
652 proposal, drafting, development, consideration, amendment, adoption
653 or repeal of any rule or regulation, or [(4)] (D) other communications
654 exempted by regulations adopted by the [commission] Office of State
655 Ethics in accordance with the provisions of chapter 54.

656 [(l)] (12) "Lobbyist" means a person who in lobbying and in
657 furtherance of lobbying makes or agrees to make expenditures, or

658 receives or agrees to receive compensation, reimbursement, or both,
659 and such compensation, reimbursement or expenditures are two
660 thousand dollars or more in any calendar year or the combined
661 amount thereof is two thousand dollars or more in any such calendar
662 year. [Lobbyist shall] "Lobbyist" does not include:

663 [(1)] (A) A public official, employee of a branch of state government
664 or a subdivision thereof, or elected or appointed official of a
665 municipality or his or her designee other than an independent
666 contractor, who is acting within the scope of his or her authority or
667 employment;

668 [(2)] (B) A publisher, owner or an employee of the press, radio or
669 television while disseminating news or editorial comment to the
670 general public in the ordinary course of business;

671 [(3)] (C) An individual representing himself or herself or another
672 person before the legislature or a state agency other than for the
673 purpose of influencing legislative or administrative action;

674 [(4)] (D) Any individual or employee who receives no compensation
675 or reimbursement specifically for lobbying and who limits his
676 activities solely to formal appearances to give testimony before public
677 sessions of committees of the General Assembly or public hearings of
678 state agencies and who, if he or she testifies, registers his or her
679 appearance in the records of such committees or agencies;

680 [(5)] (E) A member of an advisory board acting within the scope of
681 his or her appointment;

682 [(6)] (F) A senator or representative in Congress acting within the
683 scope of his or her office;

684 [(7)] (G) Any person who receives no compensation or
685 reimbursement specifically for lobbying and who spends no more than
686 five hours in furtherance of lobbying unless such person [(A)] (i)

687 exclusive of salary, receives compensation or makes expenditures, or
688 both, of two thousand dollars or more in any calendar year for
689 lobbying or the combined amount thereof is two thousand dollars or
690 more in any such calendar year, or [(B)] (ii) expends fifty dollars or
691 more for the benefit of a public official in the legislative or executive
692 branch, a member of his or her staff or immediate family;

693 [(8)] (H) A communicator lobbyist who receives or agrees to receive
694 compensation, reimbursement, or both, the aggregate amount of which
695 is less than two thousand dollars from each client in any calendar year.

696 [(m)] (13) "Member of an advisory board" means any person
697 appointed by a public official as an advisor or consultant or member of
698 a committee, commission or council established to advise, recommend
699 or consult with a public official or branch of government or committee
700 thereof and who receives no public funds other than per diem
701 payments or reimbursement for his or her actual and necessary
702 expenses incurred in the performance of his or her official duties and
703 who has no authority to expend any public funds or to exercise the
704 power of the state.

705 [(n)] (14) "Person" means an individual, a business, corporation,
706 limited liability company, union, association, firm, partnership,
707 committee, club or other organization or group of persons.

708 [(o)] (15) "Political contribution" has the same meaning as in section
709 9-601a except that for purposes of this part, the provisions of
710 subsection (b) of [that] said section shall not apply.

711 [(p)] (16) "Public official" means any state-wide elected state officer,
712 any member or member-elect of the General Assembly, any person
713 appointed to any office of the legislative, judicial or executive branch
714 of state government by the Governor, with or without the advice and
715 consent of the General Assembly, the spouse of the Governor and any
716 person appointed or elected by the General Assembly or any member
717 of either house thereof; but [shall] does not include a member of an

718 advisory board or a senator or representative in Congress.

719 [(q)] (17) "Registrant" means a person who is required to register
720 pursuant to section 1-94, as amended by this act.

721 [(r)] (18) "Reimbursement" means any money or thing of value
722 received or to be received in the form of payment for expenses as a
723 lobbyist, not including compensation.

724 [(s)] (19) "State employee" means any employee in the executive,
725 judicial or legislative branch of state government, whether in the
726 classified or unclassified service and whether full or part-time.

727 [(t)] (20) "Business organization" means a sole proprietorship,
728 corporation, limited liability company, association, firm or partnership,
729 other than a client lobbyist, [which] that is owned by, or employs one
730 or more individual lobbyists.

731 [(u)] (21) "Client lobbyist" means a lobbyist on behalf of whom
732 lobbying takes place and who makes expenditures for lobbying and in
733 furtherance of lobbying.

734 [(v)] (22) "Communicator lobbyist" means a lobbyist who
735 communicates directly or solicits others to communicate with an
736 official or [his] the official's staff in the legislative or executive branch
737 of government or in a quasi-public agency for the purpose of
738 influencing legislative or administrative action.

739 [(w)] (23) "State agency" means any office, department, board,
740 council, commission, institution, constituent unit of the state system of
741 higher education, technical high school or other agency in the
742 executive, legislative or judicial branch of state government.

743 [(x)] (24) "Quasi-public agency" means quasi-public agency, as
744 defined in section 1-79, as amended by this act.

745 Sec. 15. Subsection (a) of section 1-92 of the general statutes is

746 repealed and the following is substituted in lieu thereof (*Effective*
747 *October 1, 2013*):

748 (a) The Citizen's Ethics Advisory Board shall adopt regulations, in
749 accordance with chapter 54, to carry out the purposes of this part. Such
750 regulations shall not be deemed to govern the conduct of any judge
751 trial referee in the performance of such judge trial referee's duties
752 pursuant to this chapter. Not later than January 1, 1992, the board shall
753 adopt regulations which further clarify the meaning of the terms
754 "directly and personally received" and "major life event", as used in
755 [subsection (e)] subdivision (5) of section 1-79, as amended by this act,
756 and [subsection (g)] subdivision (7) of section 1-91, as amended by this
757 act.

758 Sec. 16. Subsection (e) of section 1-92 of the general statutes is
759 repealed and the following is substituted in lieu thereof (*Effective*
760 *October 1, 2013*):

761 (e) Upon the concurring vote of a majority of its members present
762 and voting, the board shall issue advisory opinions with regard to the
763 requirements of this part or part III of this chapter, upon the request of
764 any person, subject to the provisions of this part or part III of this
765 chapter, and publish such advisory opinions in the Connecticut Law
766 Journal. Advisory opinions rendered by the board, until amended or
767 revoked, shall be binding on the board and shall be deemed to be final
768 decisions of the board for purposes of appeal to the [superior court]
769 Superior Court, in accordance with the provisions of section 4-175 or 4-
770 183. Any advisory opinion concerning any person subject to the
771 provisions of this part or part III of this chapter who requested the
772 opinion and who acted in reliance thereon, in good faith, shall be
773 binding upon the board, and it shall be an absolute defense in any
774 criminal action brought under the provisions of this part that the
775 accused acted in reliance upon such advisory opinion.

776 Sec. 17. Subsection (e) of section 1-96 of the general statutes is

777 repealed and the following is substituted in lieu thereof (*Effective*
778 *October 1, 2013*):

779 (e) Each client lobbyist registrant financial report shall be on a form
780 prescribed by the board and shall state expenditures made and the
781 fundamental terms of contracts, agreements or promises to pay
782 compensation or reimbursement or to make expenditures in
783 furtherance of lobbying. Any such fundamental terms shall be
784 reported once in the monthly, quarterly or post-termination report
785 next following the entering into of such contract. Such financial report
786 shall include an itemized statement of each expenditure of ten dollars
787 or more per person for each occasion made by the reporting registrant
788 or a group of registrants which includes the reporting registrant for the
789 benefit of a public official in the legislative or executive branch, a
790 member of his staff or immediate family, itemized by date, beneficiary,
791 amount and circumstances of the transaction. The requirement of an
792 itemized statement shall not apply to an expenditure made by a
793 reporting registrant or a group of registrants which includes the
794 reporting registrant for (1) the benefit of the members of the General
795 Assembly at an event that is a reception to which all such members are
796 invited or all members of a region of the state, as such term is used in
797 [subdivision (11) of subsection (g)] subparagraph (K) of subdivision (7)
798 of section 1-91, as amended by this act, are invited, unless the
799 expenditure is thirty dollars or more per person, or (2) benefits
800 personally and directly received by a public official or state employee
801 at a charitable or civic event at which the public official or state
802 employee participates in his official capacity, unless the expenditure is
803 thirty dollars or more per person, per event. If the compensation is
804 required to be reported for an individual whose lobbying is incidental
805 to his or her regular employment, it shall be sufficient to report a
806 prorated amount based on the value of the time devoted to lobbying.
807 On the first financial report following registration each client lobbyist
808 registrant shall include any expenditures incident to lobbying activities
809 [which] that were received or expended prior to registration and not

810 previously reported to the Office of State Ethics.

811 Sec. 18. Subsection (a) of section 1-97 of the general statutes is
812 repealed and the following is substituted in lieu thereof (*Effective*
813 *October 1, 2013*):

814 (a) No registrant or anyone acting on behalf of a registrant shall
815 knowingly give a gift, as defined in [subsection (g)] subdivision (7) of
816 section 1-91, as amended by this act, to any state employee, public
817 official, candidate for public office or a member of any such person's
818 staff or immediate family. Nothing in this section shall be construed to
819 permit any activity prohibited under section 53a-147 or 53a-148.

820 Sec. 19. Subsection (a) of section 1-100b of the general statutes is
821 repealed and the following is substituted in lieu thereof (*Effective*
822 *October 1, 2013*):

823 (a) The Office of State Ethics, upon a finding that a communicator
824 lobbyist has violated the provisions of subsection [(i)] (h) of section 9-
825 610, may suspend [said] such lobbyist's registration for a period of not
826 more than the remainder of the term of such registration and may
827 prohibit [said] such lobbyist from engaging in the profession of
828 lobbyist for a period of not more than three years.

829 Sec. 20. Subsection (c) of section 1-100b of the general statutes is
830 repealed and the following is substituted in lieu thereof (*Effective*
831 *October 1, 2013*):

832 (c) The Office of State Ethics shall make any finding under
833 subsection (a) or (b) of this section in accordance with the same
834 procedure set forth in section 1-93 for a finding by the [commission]
835 board of a violation of part II of chapter 10.

836 Sec. 21. Section 2-16a of the general statutes is repealed and the
837 following is substituted in lieu thereof (*Effective October 1, 2013*):

838 No state representative or state senator who is elected at the 1994

839 state election or any election thereafter shall engage in the profession
840 of lobbyist, as that term is defined in [subsection (l)] subdivision (12) of
841 section 1-91, as amended by this act, until one year after the expiration
842 of the term for which such state representative or state senator was
843 elected.

844 Sec. 22. Subsection (b) of section 3-13l of the general statutes is
845 repealed and the following is substituted in lieu thereof (*Effective*
846 *October 1, 2013*):

847 (b) For purposes of this section:

848 (1) "Finder's fee" means compensation in the form of cash, cash
849 equivalents or other things of value paid to or received by a third party
850 in connection with an investment transaction to which the state, any
851 political subdivision of the state or any quasi-public agency, as defined
852 in section 1-120, is a party for any services, and includes, but is not
853 limited to, any fee paid for lobbying, as defined in [subsection (k)]
854 subdivision (11) of section 1-91, as amended by this act, and as defined
855 by the Citizen's Ethics Advisory Board, in consultation with the
856 Treasurer, in the regulations adopted under subparagraph (C)(ii) of
857 subdivision (3) of this subsection or as prescribed by the Treasurer
858 until such regulations are adopted.

859 (2) "Finder's fee" does not mean (A)(i) compensation earned for the
860 rendering of investment services, as defined in subsection (f) of section
861 9-612, or for acting as a licensed real estate broker or real estate sales
862 person under the provisions of section 20-312, or under a comparable
863 statute of the jurisdiction in which the subject property is located, or
864 (ii) marketing fees or due diligence fees earned by the payee in
865 connection with the offer, sale or purchase of any security or
866 investment interest, in accordance with criteria prescribed under
867 subparagraph (C)(ii) of subdivision (3) of this subsection, (B)
868 compensation paid to (i) persons who are investment professionals
869 engaged in the ongoing business of representing investment services

870 providers, or (ii) third parties for services connected to the issuance of
871 debt by the state, any political subdivision of the state or any quasi-
872 public agency, as defined in section 1-120, and (C) any compensation
873 which is so defined by the regulations adopted under subparagraph
874 (C)(ii) of subdivision (3) of this subsection, or any compensation which
875 meets criteria prescribed by the Treasurer until such regulations are
876 adopted. As used in this section, "offer" and "sale" have the same
877 meaning as provided in section 36b-3.

878 (3) "Investment professional" means an individual or firm whose
879 primary business is bringing together institutional funds and
880 investment opportunities and who (A) is a broker-dealer or investment
881 adviser agent licensed or registered (i) under the Connecticut Uniform
882 Securities Act; (ii) in the case of an investment adviser agent, with the
883 Securities and Exchange Commission, in accordance with the
884 Investment Advisors' Act of 1940; or (iii) in the case of a broker-dealer,
885 with the National Association of Securities Dealers in accordance with
886 the Securities Exchange Act of 1934, or (B) is licensed under section 20-
887 312, or under a comparable statute of the jurisdiction in which the
888 subject property is located, or (C) (i) furnishes an investment manager
889 with marketing services including, but not limited to, developing an
890 overall marketing strategy focusing on more than one institutional
891 fund, designing or publishing marketing brochures or other
892 presentation material such as logos and brands for investment
893 products, responding to requests for proposals, completing due
894 diligence questionnaires, identifying a range of potential investors, or
895 such other services as may be identified in regulations adopted under
896 clause (ii) of this subparagraph; and (ii) meets criteria prescribed (I) by
897 the Treasurer until regulations are adopted under this subparagraph,
898 or (II) by the Citizen's Ethics Advisory Board, in consultation with the
899 Treasurer, in regulations adopted in accordance with the provisions of
900 chapter 54. Prior to adopting such regulations, the Citizen's Ethics
901 Advisory Board shall transmit the proposed regulations to the
902 Treasurer not later than one hundred twenty days before any period

903 for public comment on such regulations commences and shall consider
904 any comments or recommendations the Treasurer may have regarding
905 such regulations. In developing such regulations, the Citizen's Ethics
906 Advisory Board shall ensure that the state will not be competitively
907 disadvantaged by such regulations relative to any legitimate financial
908 market.

909 Sec. 23. Section 4-250 of the general statutes is repealed and the
910 following is substituted in lieu thereof (*Effective October 1, 2013*):

911 As used in sections 4-250 to 4-252, inclusive:

912 (1) "Gift" has the same meaning as provided in section 1-79, as
913 amended by this act, except that the exclusion in [subdivision (12) of
914 subsection (e)] subparagraph (L) of subdivision (5) of [said] section 1-
915 79, as amended by this act, for a gift for the celebration of a major life
916 event [shall] does not apply;

917 (2) "Quasi-public agency", "public official" and "state employee"
918 have the same meanings as provided in section 1-79, as amended by
919 this act;

920 (3) "State agency" means any office, department, board, council,
921 commission, institution or other agency in the executive, legislative or
922 judicial branch of state government;

923 (4) "Large state contract" means an agreement or a combination or
924 series of agreements between a state agency or a quasi-public agency
925 and a person, firm or corporation, having a total value of more than
926 five hundred thousand dollars in a calendar or fiscal year, for (A) a
927 project for the construction, alteration or repair of any public building
928 or public work, (B) services, including, but not limited to, consulting
929 and professional services, (C) the procurement of supplies, materials or
930 equipment, (D) a lease, or (E) a licensing arrangement. The term "large
931 state contract" [shall] does not include a contract between a state
932 agency or a quasi-public agency and a political subdivision of the state;

933 (5) "Principals and key personnel" means officers, directors,
934 shareholders, members, partners and managerial employees; and

935 (6) "Participated substantially" means participation that is direct,
936 extensive and substantive, and not peripheral, clerical or ministerial.

937 Sec. 24. Subsection (b) of section 4e-34 of the general statutes is
938 repealed and the following is substituted in lieu thereof (*Effective*
939 *October 1, 2013*):

940 (b) Causes for such disqualification shall include the following:

941 (1) Conviction of, or entry of a plea of guilty or nolo contendere or
942 admission to, the commission of a criminal offense as an incident to
943 obtaining or attempting to obtain a public or private contract or
944 subcontract, or in the performance of such contract or subcontract;

945 (2) Conviction of, or entry of a plea of guilty or nolo contendere or
946 admission to, the violation of any state or federal law for
947 embezzlement, theft, forgery, bribery, falsification or destruction of
948 records, receiving stolen property or any other offense indicating a
949 lack of business integrity or business honesty which affects
950 responsibility as a state contractor;

951 (3) Conviction of, or entry of a plea of guilty or nolo contendere or
952 admission to, a violation of any state or federal antitrust, collusion or
953 conspiracy law arising out of the submission of bids or proposals on a
954 public or private contract or subcontract;

955 (4) Accumulation of two or more suspensions pursuant to section
956 4e-35 within a twenty-four-month period;

957 (5) A wilful, negligent or reckless failure to perform in accordance
958 with the terms of one or more contracts or subcontracts, agreements or
959 transactions with state contracting agencies;

960 (6) A history of failure to perform or of unsatisfactory performance

961 on one or more public contracts, agreements or transactions with state
962 contracting agencies;

963 (7) A wilful violation of a statutory or regulatory provision or
964 requirement applicable to a contract, agreement or transaction with
965 state contracting agencies;

966 (8) A wilful or egregious violation of the ethical standards set forth
967 in sections 1-84, as amended by this act, [and] 1-86e and 1-101nn, as
968 determined by the Citizen's Ethics Advisory Board; or

969 (9) Any other cause or conduct the board determines to be so
970 serious and compelling as to affect responsibility as a state contractor,
971 including, but not limited to:

972 (A) Disqualification by another state for cause;

973 (B) The fraudulent or criminal conduct of any officer, director,
974 shareholder, partner, employee or other individual associated with a
975 contractor, bidder or proposer of such contractor, bidder or proposer,
976 provided such conduct occurred in connection with the individual's
977 performance of duties for or on behalf of such contractor, bidder or
978 proposer and such contractor, bidder or proposer knew or had reason
979 to know of such conduct;

980 (C) The existence of an informal or formal business relationship
981 with a contractor who has been disqualified from bidding or
982 proposing on state contracts of any state contracting agency.

983 Sec. 25. Subsection (d) of section 16-2 of the general statutes is
984 repealed and the following is substituted in lieu thereof (*Effective*
985 *October 1, 2013*):

986 (d) The directors of the authority shall serve full time and shall
987 [make full public disclosure of their assets, liabilities and income at the
988 time of their appointment, and thereafter each member of the authority
989 shall make such disclosure on or before July thirtieth of each year of

990 such member's term, and shall file such disclosure with the office of
991 the Secretary of the State] file a statement of financial interests with the
992 Office of State Ethics in accordance with section 1-83, as amended by
993 this act. Each director shall receive annually a salary equal to that
994 established for management pay plan salary group seventy-five by the
995 Commissioner of Administrative Services, except that the chairperson
996 shall receive annually a salary equal to that established for
997 management pay plan salary group seventy-seven.

998 Sec. 26. Subsection (a) of section 52-259a of the general statutes is
999 repealed and the following is substituted in lieu thereof (*Effective*
1000 *October 1, 2013*):

1001 (a) Any member of the Division of Criminal Justice or the Division
1002 of Public Defender Services, any employee of the Judicial Department,
1003 acting in the performance of such employee's duties, the Attorney
1004 General, an assistant attorney general, the Consumer Counsel, any
1005 attorney employed by the Office of Consumer Counsel within the
1006 Department of Energy and Environmental Protection, the Department
1007 of Revenue Services, the Commission on Human Rights and
1008 Opportunities, the Freedom of Information Commission, the Board of
1009 Labor Relations, the Office of Protection and Advocacy for Persons
1010 with Disabilities, the Office of the Victim Advocate, the Department of
1011 Social Services or the Department of Children and Families, the Office
1012 of State Ethics, or any attorney appointed by the court to assist any of
1013 them or to act for any of them in a special case or cases, while acting in
1014 such attorney's official capacity or in the capacity for which such
1015 attorney was appointed, shall not be required to pay the fees specified
1016 in sections 52-258, 52-259, and 52-259c, subsection (a) of section 52-
1017 356a, subsection (a) of section 52-361a, section 52-367a, subsection (b)
1018 of section 52-367b and subsection (n) of section 46b-231.

1019 Sec. 27. Subsection (d) of section 15-120bb of the general statutes is
1020 repealed and the following is substituted in lieu thereof (*Effective*
1021 *October 1, 2013*):

1022 (d) The board of directors of the authority shall appoint an executive
1023 director who shall not be a member of the board and who shall serve at
1024 the pleasure of the board and receive such compensation as shall be
1025 fixed by the board. The executive director shall be the chief
1026 administrative officer of the authority and shall direct and supervise
1027 administrative affairs and technical activities in accordance with the
1028 directives of the board. The executive director shall approve all
1029 accounts for salaries, allowable expenses of the authority or of any
1030 employee or consultant thereof, and expenses incidental to the
1031 operation of the authority. The executive director shall perform such
1032 other duties as may be directed by the board in carrying out the
1033 purposes of [subsection (l)] subdivision (12) of section 1-79, as
1034 amended by this act, sections 1-120, 1-124 and 1-125, subsection (f) of
1035 section 4b-3, sections 13b-4 and 13b-42, subsection (a) of section 13b-44
1036 and sections 15-101aa and 15-120aa to 15-120oo, inclusive. The
1037 executive director shall be exempt from the classified service. The
1038 executive director shall attend all meetings of the board, keep a record
1039 of the proceedings of the authority and shall maintain and be
1040 custodian of all books, documents and papers filed with the authority
1041 and of the minute book or journal of the authority and of its official
1042 seal. The executive director may cause copies to be made of all minutes
1043 and other records and documents of the authority and may give
1044 certificates under the official seal of the authority to the effect that such
1045 copies are true copies, and all persons dealing with the authority may
1046 rely upon such certificates.

1047 Sec. 28. Subsection (f) of section 15-120*ll* of the general statutes is
1048 repealed and the following is substituted in lieu thereof (*Effective*
1049 *October 1, 2013*):

1050 (f) The Comptroller may establish such funds and accounts for the
1051 authority as may be requested by the authority or as may be necessary
1052 or appropriate to effect the terms of any memorandum of
1053 understanding or as may be convenient to effect the purposes of
1054 [subsection (l)] subdivision (12) of section 1-79, as amended by this act,

sections 1-120, 1-124 and 1-125, subsection (f) of section 4b-3, sections 13b-4 and 13b-42, subsection (a) of section 13b-44 and sections 15-101aa and 15-120aa to 15-120oo, inclusive, including, without limitation, a fund to support the general aviation airports and a fund for the authority's general operations. All revenue from the licensing of state airports and use of services of the authority shall be paid into the fund established for the authority's general operations, to be used by the authority according to the authority's budget for its authorized purposes.

Sec. 29. Section 1-96d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

Each registrant or business organization that hosts a legislative reception to which all members are invited, or all members of a region in the state, as such term is used in [subdivision (11) of subsection (g)] subparagraph (K) of subdivision (7) of section 1-91, as amended by this act, are invited, shall include in its invitation or any published notice of such reception whether the registrant or business organization reasonably expects such expenditures to be reportable pursuant to subsection (e) of section 1-96, as amended by this act.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2013</i>	1-79
Sec. 2	<i>from passage</i>	1-80(a)
Sec. 3	<i>October 1, 2013</i>	1-80(b)
Sec. 4	<i>October 1, 2013</i>	1-80(d)
Sec. 5	<i>October 1, 2013</i>	1-80(k)
Sec. 6	<i>October 1, 2013</i>	1-81
Sec. 7	<i>from passage</i>	1-82(e)
Sec. 8	<i>October 1, 2013</i>	1-83(a)
Sec. 9	<i>October 1, 2013</i>	1-84(j)
Sec. 10	<i>October 1, 2013</i>	1-84(m)
Sec. 11	<i>from passage</i>	1-84(q)
Sec. 12	<i>October 1, 2013</i>	1-84c

Sec. 13	October 1, 2013	1-88(d)
Sec. 14	October 1, 2013	1-91
Sec. 15	October 1, 2013	1-92(a)
Sec. 16	October 1, 2013	1-92(e)
Sec. 17	October 1, 2013	1-96(e)
Sec. 18	October 1, 2013	1-97(a)
Sec. 19	October 1, 2013	1-100b(a)
Sec. 20	October 1, 2013	1-100b(c)
Sec. 21	October 1, 2013	2-16a
Sec. 22	October 1, 2013	3-13l(b)
Sec. 23	October 1, 2013	4-250
Sec. 24	October 1, 2013	4e-34(b)
Sec. 25	October 1, 2013	16-2(d)
Sec. 26	October 1, 2013	52-259a(a)
Sec. 27	October 1, 2013	15-120bb(d)
Sec. 28	October 1, 2013	15-120ll(f)
Sec. 29	October 1, 2013	1-96d

Statement of Purpose:

To permit the Office of State Ethics to recover the amount of any financial benefit received by a state contractor for certain violations, to add a violation of section 1-101nn of the general statutes to the list of violations that are grounds for disqualifying a state contractor, to give the office the authority to interpret Parts III and IV of chapter 10 of the general statutes, to redefine "gift" for purposes of the codes of ethics, to exempt the office from certain fee requirements, and to make other changes to the codes of ethics.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]